

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING AND 2018 LAND USE AMENDMENT
TO THE COMPREHENSIVE PLAN SPECIAL MEETING

August 22nd, 2018

Agenda

HIALEAH CITY HALL
501 PALM AVENUE-3RD FLOOR

7:00 P.M.
HIALEAH

Call to order.

Invocation and pledge of allegiance

ALL LOBBYISTS MUST REGISTER WITH THE PLANNING AND ZONING BOARD PRIOR TO ITEM BEING HEARD

A MAXIMUM OF 4 SPEAKERS IN FAVOR AND 4 SPEAKERS IN OPPOSITION WILL BE ALLOWED TO ADDRESS THE PLANNING AND ZONING BOARD ON ANY ITEM. EACH SPEAKER'S COMMENTS WILL BE LIMITED TO 3 MINUTES.

Roll Call.

ADMINISTRATION OF OATH TO ALL APPLICANTS AND ANYONE WHO WILL BE SPEAKING BEFORE THE BOARD ON ANY ITEM.

A WRITTEN DECISION AND RESOLUTION WILL BE PREPARED AND PRESENTED FOR REVIEW TO THE CITY COUNCIL. THE CITY COUNCIL IS AUTHORIZED TO AFFIRM, AFFIRM WITH CONDITIONS, OR OVERRIDE THE DECISIONS BY RESOLUTION. AFTER THE RESOLUTION IS ADOPTED, A MEMBER OF THE PLANNING DIVISION WILL CONTACT THE APPLICANT WHEN A COPY OF THE FINAL DECISION AND RESOLUTION CAN BE PICKED UP. UPON YOUR RECEIPT OF THE FINAL DECISION AND RESOLUTION, CONTACT THE BUILDING DEPARTMENT TO OBTAIN YOUR REQUIRED BUILDING PERMIT. SUMMARY MINUTES, OR A COPY OF THE AUDIO FILE OF THE PROCEEDINGS BEFORE THE PLANNING AND ZONING BOARD, SHALL BE PREPARED AND SUBMITTED TO THE CITY COUNCIL BEFORE ITS HEARING.

LAND USE AMENDMENT SECTION:

LU 1. MAP AMENDMENT TO THE FUTURE LAND USE MAP FROM TRANSIT ORIENTED DEVELOPMENT DISTRICT TO INDUSTRIAL. PROPERTY LOCATED AT 725 SE 9TH COURT, HIALEAH, ZONED M-1 (INDUSTRIAL DISTRICT).

Applicant: Melissa Tapanes Llahues, Esq. on behalf of Columbia Florida 9th Industrial, LLC

PLANNING AND ZONING ITEMS SECTION:

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1. Approval of Planning and Zoning Board Summary Agenda of June 27th, 2018 as submitted.

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, SEPTEMBER 25TH, 2018.

2. **Final decision** to allow the following adjustments: rear setback of 17.5 feet, where 20 feet are required for the existing house; west side setback of 3 feet, where 6.5 feet are required for an aluminum roof; west side setback of 1 foot, where 6.5 feet are required, for accessory building and pergola; 1 foot rear setback, where 7.5 feet are required, for accessory building; 8.15 feet distance separation between a pergola attached to the house and accessory building, where 20 feet are required. Property located at 180 SE 9th Avenue, Hialeah, zoned R-1 (One-Family District).

Applicant: Carmen Oroceno

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, SEPTEMBER 11TH, 2018.

3. **Rezoning** from GU (Interim District-Miami-Dade County zoning designation) to MH (Industrial District). Property located at 4200 West 84th Street, Hialeah, zoned GU (Interim District-Miami-Dade County zoning designation).

Applicant: Ceasar Mestre, Esq. on behalf of Corner Land LLC

4. **Rezoning** from R-1(One-Family District) to C-2 (Liberal Retail Commercial District) and P (Parking) and variance permit to allow a front setback of 4 feet, where 20 feet is the minimum required and allow 22 parking spaces, where 37 parking spaces are required. Property located at 802 and 814 East 24th Street, Hialeah, zoned R-1 (One-Family District).

Applicant: East 8th PT LLC, Daniel Abreu

5. **Rezoning** from C-1 (Restricted Retail Commercial District) to R-3-4 (Multiple-Family District) and variance permit to allow the construction of a 4-unit multifamily building in a substandard lot with length of 87.50 feet, where 100 feet is the minimum required and area of 7,040 square feet, where 7,500 square feet is the minimum required; allow 15 feet front setback, where 25 feet are required; allow 26% pervious area, where 30% is the minimum required and allow 3 feet landscape buffer, where 7 feet are required. Property located at 545 West 24th Street, Hialeah, zoned C-1 (Restricted Retail Commercial District).

Applicant: Gilberto Aguila

6. **Variance** permit to allow 509 parking spaces, where 568 parking spaces are required. Property located at 11055 West 36th Avenue, Hialeah, zoned RDD (Residential Development District).

Applicant: Alejandro J. Arias, Esq. on behalf of FC Hialeah Development, LLC

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7. **Variance** permit to allow the construction of a single family home in a substandard lot with frontage of 50 feet, where 75 feet is the minimum required and area of 7,166 square feet, where 7,500 square feet is the minimum required. Property located at 80 West 39th Place, Hialeah, zoned R-1 (One-Family District).

Applicant: AS 39 LLC, Angel Ruiz

8. **Conditional Use Permit (CUP)** to allow a new elementary school as an expansion of an existing day care center, with a maximum total number of 700 students and variance permit to allow 62 parking spaces, where 150 parking spaces are required. Property located at 8101, 8155 West 28th Avenue and 2750 West 82nd Street, Hialeah, zoned M-1 (Industrial District).

Applicant: Ceasar Mestre, Esq. on behalf of David De la Sierra

9. **Conditional Use Permit (CUP)** to allow an adult medical educational facility for 50 students. Property located at 3418 West 84th Street, Unit 100, Hialeah, zoned M-1 (Industrial District).

Applicant: Ceasar Mestre, Esq. on behalf of Four Stars Investment Group Inc

10. **Special Use Permit (SUP)** to allow the expansion of the Neighborhood Business District Overlay regulations to a property located at an activity node area, for a proposed senior living facility mixed use development; Conditional Use Permit (CUP) to allow a Residential Care and Treatment Facility with 38 beds on the third floor of the proposed development and variance permit to allow a front setback of 7 feet, where 10 feet built-to-line is the minimum required; allow 80% of the residential units with area of less than 850 square feet, where a maximum of 10% of the units can have an area of 850 square feet and parking variance to allow 196 parking spaces, where 408 parking spaces are required. Property located at 7000 West 12th Avenue, Hialeah, zoned C-2 (Liberal Retail Commercial District).

Applicant: Ceasar Mestre, Esq. on behalf of Enterprising Management Group, LLC

11. ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING THE HIALEAH FLORIDA "LAND DEVELOPMENT CODE", REGULATION NO. 1, ENTITLED "LAND DEVELOPMENT PROCEDURES", SECTION 1-10 ENTITLED "DEVELOPMENT AGREEMENTS" TO CONFORM TO EXISTING LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN THE HIALEAH, FLA., LAND DEVELOPMENT CODE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

12. ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA REVISING THE FINAL HIALEAH, FLA., LAND DEVELOPMENT CODE TO REFLECT PERTINENT CHANGES TO THE HIALEAH CODE AND RELEVANT CHANGES IN STATE LAW ENACTED SINCE THE DATE OF THE LAST REVISION, INCLUDING, BUT NOT LIMITED TO, AMENDING LAND DEVELOPMENT REGULATION NO. 1 ENTITLED "LAND DEVELOPMENT PROCEDURES"; REPEALING ALL ORDINANCES OR

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PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN THE HIALEAH, FLA., LAND DEVELOPMENT CODE AND THE HIALEAH CODE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

- 13.** ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 98 ENTITLED "ZONING", ARTICLE V. ENTITLED "ZONING DISTRICT REGULATIONS", DIVISION 26 ENTITLED "TOD TRANSIT ORIENTED DEVELOPMENT DISTRICT" "SECTION 98-1550 ENTITLED "HIALEAH MARKET STATION SUBDISTRICT", OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, BY EXTENDING THE EASTERN BOUNDARY FROM THE CSX RAILROAD TRACKS TO NW 37TH AVENUE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

14. Old Business.

15. New Business.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 OR (305) 883-8076 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.

If you decide to appeal any decision made by the board, with respect to any matter considered at the meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.